Dev (1949) Department.

MS SERIES

G.O. No. 865

Dated 9/2-2-1949

[Despatch Abstract.]

Rules and Rules - The Madras Agricultural Pests and Diseases Act 1919 - Control of wheat rust - Prohibition of sowings of wheat and barley - G.O.Ms.No. 4050 Development dated 2-8-1948 - Modified

GOVERNMENT OF MADRAS
ABSTRACT

ACTS AND RULES - The Madras Agricultural Fests and Diseases Act, 1919 - Control of wheat rust - Prohibition of sowings of wheat and barley - G.O.Ms.No. 4050 Development dated 2-8-1948 - Modified - Notifications - Issued.

DEVELOPMENT DEPARTMENT

85 Dated the 22nd February 1949
Read the following:-

G.O.Ms.No. 4050 Development dated 2-8-1948.
From the Government of India, Ministry of Agriculture
No. F.13-10/48-PP&S dated 20th January 1949.
From the Director of Agriculture No.L.I.1369/48
dated the 1st February 1949.

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ORDER:-

In the G.O. read above, the Government issued orders prohibiting the cultivation of wheat and barley crops in this province between 1st April and 30th September for three years upto 30-9-1950 as a measure of wheat rust control. In their letter read above the Government of India have stated that the summer sowing of wheat and barley in the Ceded Districts of the Province of Madras begins in February and have suggested enforcement of the ban on the cultivation of wheat and barley in the months of February to September in the Ceded districts. In his letter read above the Director of Agriculture has stated that the normal sowings of irrgated wheat crop in Anantapur, Bellary, Chittoor, Kurnool and Coimbatore districts extend from January/February to March/April depending on the availability of water in the irrigation source and harvest of the previous crop. He has also reported that this crop comes under the classification "summer ~~sowing~~ sowings" and that it is likely to be a source of the spread of wheat rust. His Excellency the Governor of Madras therefore directs that the cultivation of wheat and barley be prohibited in Anantapur, Bellary, Chittoor, Kurnool and Coimbatore districts from January to September, and from 1st April to 30th September in other districts.

The following notifications appended to this order will be published in the Fort St. George Gazette. The Senior Translator to Government is requested to supply a translation of the notification in Tamil, Telugu, Kannada and Malayalam to the Superintendent, Government Press for publication in the concerned district gazettes.

The Collectors and the Director Agriculture are requested to enforce the ban on cultivation wheat and barley strictly.

The Director of Agriculture is requested to expedite proposals for compensation to ryots.

(By Order of His Excellency the Governor)

M.T. Raju,
Deputy Secretary,to Govt.

A P P E N D I X

Notification I

In order to eradicate and prevent the spread of the plant diseases specified in Development Department Notification No. 583, dated the 8th June 1948, Published at page 521 of Part I of the Fort St. George Gazette, dated the 8th June 1948, and in supersession of Development Department Notifieation No. 781, dated the 3rd August 1948, published at page 739 of Part I of the Fort St. George Gazette, dated the 3rd August 1948, His Excellency the Governor of Madras hereby directs under section 3(1)(b) and (c) of the Madras Agricultural Pests and Diseases Act, 1919 (Madras Act III of 1919), that the following preventive and remedial measures shall be taken in respect thereof:

(a) The cultivation of wheat and barley crops between the 1st January and the 30th September (both days inclusive) in the districts of Anantapur, Bellary, Chittoor, Kurnool and Coimbatore and between the 1st April and the 30th September (both days inclusive) inthe other districts of the Province of Madras, shall be prohibited.

(b) All cultivated or self sown wheat or barley plants and stubbles and tillers of any previous wheat or barley crops in the said province shallbe eradicated and burnt in situ between the dates mentioned in clause (a)

This notificationshall remain in force on and from the 1st March 1949 upto and inclusive of the 30th September 1950.

Notification II

Under section 3(2) of the Act aforesaid, His Excellency the Governor of Madras hereby directs that Notification No. supra shall be proclaimed inthe villages in the areas to which it applied by beat of tom tom and that copies of the said notification shall be pasted inthe village chavadis or other prominent places in the said areas before the date on which the said notification comes into force.

Notification III

In connection withthe eradication of the rusts' of wheat and barley inthe whole of the Province of Madras and in supersession of Development Notification No. 783 dated the 3rd August 1948, published at page 739 of Part I of the Fort St. George Gazette, dated the 3rd August 1948, His Excellency the Governor of Madras hereby:

(1) appoints under section 19 of the Madras Agricultural Pests and Diseases Act, 1919 (Madras Act III of 1919), the following persons as Inspecting Officers within their respective jurisdictions:-

(i) Revenue Inspectors, Village Munsiffs and Karnams in the said Province, and

(ii) Upper and Lower Subordinates, Laboratory Assistants Fieldment and Maistries of the Agricultural Department in the said Province and those attached to Mycology section, Coimbatore;

(2) appoints under section 10 of the said Act, the District Agricultural Officers in the said Province as the Valuin Officers within their respective jurisdictions.

Part I of the Fort St. George Gazette, dated the 3rd August 1948, His Excellency the Governor of Madras hereby makes the following rules:-

R U L E S.

1. Appeals under section 6 of the Act shall lie to the Revenue Divisional Officer concerned and appeals under sections 8 and 12 shall lie to the Collector of the district concerned.

2. An appeal presented under section 6 of the Act shall not be received unless it is accompanied by the original notices served on the appellant by the Inspecting Officer. Similarly an appeal undersection 12 shall be accompanied by a copy of the award transmitted to the appellant by the Valuing Officer. It sha shall set forth clearlythe objection or objections to the terms of the notice, and shall specify the points or points on which redress in sought.

3. In dealing with appeals under sect on 6,8 or 12 or the Act, the appellate Officer shall record his decisionin writing and communicate a copy thereof free of charge to the appellant.

4. The notice issued under section6 of the Act shall be in Form A annexed to these rules and the Inspecting Officer shall main ain a register of notices in Form B annexed to these rules.

5. Every notice under section 6 or 9 (1) of the Act shall be authenticated by the signatureof the Officer by whom it is issued. The notice shall be served by delivering a copy of to occupier or to some adult male member of his family, at his usual place of abode, or to his authorised agent, or by affixing a copy thereof in some conspicuouspert of his last known residence or on some conspicuous part of the Land on which the prescribed remedial or preventive measures are to be taken.

6. The notice of demand under section 8 of the Act shall be in Form C annexed to these rules and shall be served in the manner prescribed for the service of notices by all the Inspecting Office excepting the village officer and a copy of it shall be communicated to the village officer and the taluk office. The Inspecting Officer shall maintain two registers in Forms D and E annexed to these rules.

7. Compensation under section 16 of the Act may be paid to such of those cultivators as refrain from growing wheat and barley betweenthe 1st January and the 30th September in the districts ofAnantapur, Bellary, Chittoor Kurnool and Coimbatore and between the 1st April and the 30th September in the other districts of the Province of Madras but grow a less remunerative crop, in accordance with the rate of compensationto be fixed by the Government.

8. No compensation shall be paid in respect of areas in the Province of Madras which are suitable for the cultivation of ragi (Eleusince Coracana) between the 1st January and 30th September in the districts of Anantapur, Bellary, Chittoor, Kurnool and Coimbatore and betweenthe 1st April to the 30th Septemberin the other districts of the Province of Madras.

No.

Date

To . . . . . Village . . . Taluk. . . Distric

You are hereby required to take notice that you should carr out the following measures in respect of the plants described in the Schedule hereunder and growing or situated in the fields ther in mentioned and under your occupation inthe village of . . . . in the. . . . taluk in the -. . . . . district within . . . . days from the date of the service of this notice. If you object to this notice you may prefer an appeal along with this notice to the Revenue Divisional Officer of . . . . within 7 days from the service of this notice setting forth the grounds of objection and the points for redress. The decision of that officer will be final. If you fail to comply with this notice, or, in case of appeal, with the order of the appellate Officer the undersigned is authorised by law to carry out at your expense the measures ordered and you will also be liable to a fine not ex exceeding Rs. 50/- or in case of deafault to simple imprisonment f for a period not exceeding ten days.

INSPECTING OFFICER.

Schedule.

Serial Number of notice	S.No. sub-division No. to which notice relates.	Name of the occupier.	Description of the plants to be destroyed.	Measures to be carried out.
1	2	3	4	5

NOTE: Sections 6,7 and 14 of the Act and the remedial measures specified in the notification issued under section 3(b) and (c) are printed on the reverse of these notice.

SECTION 6

1. If any inspecting officer ap appointed under section 19 finds that any prescribed remedial of preventive measures other than those specified in section 5-A have not been properly carri out, he may, subject to such rules as the Provincial Government may prescribe under section 21(g), call upon the occupier by notice in writing to carry out the prescribed remedial or preventive measures within a time to be ap specified in such notice.

2. The occupier may within seven days of the service upon him of such notice prefer an appeal to the prescribed officer who may make such order as he thinks fit. The decision on such appeal shall be final.

3. The officer receiving the appeal may extend the time specified in the notice under sub-section (1).

SECTION 7.

If any occupier upon whom notice has been served under section 6 fails to comply with the notice within the time specified by the inspecting officer or, in cases where an appe has been preferred, by a the prescribed of officer on appeal, he shall be deemed to have committeed an offence under this Act

this Act and the prescribed remedial or preventive measures may be carried out by the inspecting officer or under his supervision.

SECTION 14.

Any one convicted by a magistrate of an offence under sectio 5-A or 7 of this Act shall be liable to a fine not exceeding Rs.50/ or in default to simple imprisonment for a period not exceeding ten days.

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Remedial measures specified in the notification issued under Section 3.

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1. Cultivation of wheat and barley crops between the 1st January and the 30th September (both days inclusive) in the districts of Anantapur, Bellary, Chittoor, Kurnool and Coimbatore and between the 1st April and the 30th September (both days inclusive) in the other districts of the Province of Madras shall be prohibited.

2. All cultivate or self sown wheat or barley plants and stubbles and tillers of any previous wheat or barley crops in the whole of the Province of Madras shall be eradicated and burnt in situ between the days mentioned in column 1.

Notice of-de demand to . . . . . of . . . . . village in . . . . . taluk . . . . . .

Take notice that an expenditure of Rs. . . . of which the details areannexed has been incurred in carrying out the prescribed remedial measures in Survey Number . . . of . . . . village and that you are required to pay the amount within 30 days of the date of service of this notice. The amount may be paid to the village headman or remitted to the taluk treasury.

If you object to this notice you may prefer an appeal to the Collector within 30 days from the date of service of this notice on the grounds specified in section 8 of the Act printed on the reverse.

INSPECTING OFFICER,

A N N E X U R E.

(Here enter details of cost.)

NOTE: Section 8 of the Act is printed on the reverse of the demand form.

Section 8: (1) If any prescribed remedial or preventive measures are carried out by the Inspecting officer under section 5-A or 7 of the cost of such measures shall be recoverable from the occupier as if it were an arrear of land revenue, but such occupier may appeal to the Collector within thirty days from the date of demand on the ground that

(a) charges for items other than cost of labour, material or use of implements have been included, or

(b) the charges for labour, material or use of implements are unduly high.

The order of the Collector on such appeal shall be final.

MADRAS AGRICULTURAL PESTS AND DISEASES ACT 1919.

(MADRAS ACT III OF 1919)

FORM E.
(Inspecting Officers' Return).
See Rule 6.

District

Taluk

Village

Location of effected field.	Survey number and sub-division number.	Full name and address of occupier.	No. marked on or other descriptions of affected plant or area.	No. and date of notice issued by the Inspecting Officer.	Date of expiry of appeal time.	No. of plants or areas so far operated by		No. of plants or area remaining to be operated at the beginning of the month	No. of plants or area operated during the month.	Balance remaining at the end of the month.	Remarks. (Amount of Compensation paid etc)
						Occupier.	Inspecting Officer.				
2	3	4	5	6	7	8	9	10	11	12	1

/True Copy/

Office Assistant,
Madras Record Office